



Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimballa
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr.
Michael V. Messinger
Judith U. Kim
Patrick E. Garrett

Jeffrey T. Helvey
Eldora L. Ellison
Thomas C. Fiala
Donald R. Banowitz
Peter A. Jackman
Jeffrey S. Weaver
Brian J. Del Buono
Mark Fox Evens
Edward W. Yee
Vincent L. Capuano
Virgil Lee Beaston
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht

Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gabry L. Longworth
Lori A. Gordon
Laura A. Vogel
Bryan S. Wade
Bashir M.S. Ali
Shannon A. Carroll
Anbar F. Khal
Michelle K. Holoubek
Marsha A. Rose
Young Tang
Christopher J. Walsh

W. Blake Coblenz*
James J. Pohl*
John T. Haran
Mark W. Rygiel
Kevin W. McCabe
Michael R. Malek*

Registered Patent Agents*
Karen R. Markowicz
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Victoria S. Rutherford
Simon J. Elliott
Julie A. Heider
Mita Mukherjee

Scott M. Woodhouse
Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey K. Mills
Danielle L. Letting
Lori Brandes
Steven C. Oppenheimer

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie

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*Admitted only in Virginia
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October 4, 2006

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

WRITER'S DIRECT NUMBER:
(202) 772-8817

INTERNET ADDRESS:
BWADE@SKGF.COM

Art Unit 2152

Attn: Mail Stop RCE

Re: U.S. Utility Patent Application
Appl. No. 10/758,282; Filed: January 16, 2004
For: **Method and System for Downloading Network Data at a Controlled
Data Transfer Rate**
Inventors: COOPER *et al.*
Our Ref: 2018.0050001

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal Form (PTO/SB/17);
2. Petition for Extension of Time Under 37 C.F.R. 1.136(a);
3. Request for Continued Examination (RCE) Transmittal (PTO/SB/30);
4. Terminal Disclaimer to Obviate a Double Patenting Rejection Over A "Prior" Patent;
5. Amendment and Reply Under 37 C.F.R. § 1.114;
6. Copy of a Power of Attorney to Prosecute Applications Before the USPTO;
7. Statement Under 37 C.F.R. 3.73(b);
8. One (1) return postcard; and

Commissioner for Patents
October 4, 2006
Page 2

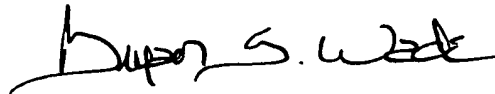
9. Credit Card Payment Form (PTO-2038) in the amount of \$1,940.00 to cover:
 \$ 790.00 - Request for Continued Examination (RCE) Fee;
 \$ 1,020.00 - Petition for Three-Month Extension of Time Fee; and
 \$ 130.00 - Terminal Disclaimer Fee.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Bryan S. Wade
Attorney for Applicants
Registration No. 58,228

MVM/BSW:apg:smn
Enclosures

583754_1.DOC

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

<p>Response pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <p>FEE TRANSMITTAL</p> <p>For FY 2006</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>Complete if Known</p>	
<p>TOTAL AMOUNT OF PAYMENT</p>		<p>Application Number</p>	<p>10/758,282</p>
<p>(\$)</p>		<p>Filing Date</p>	<p>January 16, 2004</p>
<p>1,940.00</p>		<p>First Named Inventor</p>	<p>Jeremy S. COOPER</p>
		<p>Examiner Name</p>	<p>El Hady, Nabil M.</p>
		<p>Art Unit</p>	<p>2152</p>
		<p>Attorney Docket No.</p>	<p>2018.0050001</p>

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

EXCESS CLAIM FEES				Small Entity	
Fee Description				Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)				50	25
Each independent claim over 3 (including Reissues)				200	100
Multiple dependent claims				360	180
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
<u>7</u> - 20 or HP <u>14</u>	<u>0</u> x	<u>50.00</u>	= <u>0.00</u>	Fee (\$)	Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.				<u>360.00</u>	<u>0.00</u>
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
<u>3</u> - 3 or HP <u>3</u>	<u>0</u> x	<u>200.00</u>	= <u>0.00</u>		
HP = highest number of independent claims paid for, if greater than 3.					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
<u> </u> - 100 = <u> </u>	<u> </u> / 50 = <u> </u>	<u> </u> (round up to a whole number) x <u> </u>	<u> </u>	<u> </u>


4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): **Terminal Disclaimer/EOT/RCE Fees**

Fees Paid (\$)

1.940.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	Telephone
Name (Print/Type)	Bryan S. Wade	58,228	(202) 371-2600
			Date October 4, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.